UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

Distr.
GENERAL

E/CN.6/1991/8
28 January 1991

ORIGINAL: ENGLISH

COMMISSION ON THE STATUS OF WOMEN
Thirty-fifth session
Vienna, 27 February-8 March 1991
Item 4 of the provisional agenda*

MONITORING THE IMPLEMENTATION OF THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN

Women and children living under apartheid

Report of the Secretary-General

SUMMARY

In its resolution 1990/13, the Economic and Social Council requested the Secretary-General to submit a report on progress made in achieving the goals to implement the Nairobi Forward-looking Strategies for the Advancement of Women with regard to women and children living under apartheid. Bearing in mind the rapid changes taking place in South Africa, including an increasing public concern with the advancement of women and progress towards a democratic multi-racial society, the present report concentrates on the effects of apartheid on equal educational opportunity, women's legal rights and their participation in the economy.

*E/CN.6/1991/1.

V.91-20897 7352T

CONTENTS

	Paragraphs	Page
INTRODUCTION	1-4	3
I. LEGAL AND CULTURAL BASES FOR DISCRIMINATION	5-14	4
II. POPULATION, MIGRATION AND FAMILY STRUCTURES	15-25	5
III. EDUCATION	26-37	7
A. Literacy	27-28	7
B. Formal education	29-35	8
C. Training	36-37	9
IV. WOMEN'S PARTICIPATION IN INDUSTRY, AGRICULTURE AND SERVICES	38-98	10
A. Employment structure	38-80	10
B. Maternity and childhood protection	80-88	21
C. Union participation and activities	89-92	22
D. Housing	93-98	23

Tables

1. Occupational categories by gender and classification of the work-force according to population group, 1985 11

2. Comparison of average monthly wage rates for African workers 14

INTRODUCTION

1. In its resolution 1990/13, the Economic and Social Council requested the Secretary-General to submit to the Commission on the Status of Women at its thirty-fifth session a comprehensive report concerning the implementation and monitoring of the Nairobi Forward-looking Strategies for the Advancement of Women 1/ in relation to women and children living under apartheid.

2. Reports on the subject have been regularly submitted to the Commission. Considerable changes relating to the elimination of apartheid have taken place during the past year, including legalizing of all political parties, return of many exiles, repeal of several laws, all of which have affected the legal structure underpinning apartheid. Among the issues currently under more active discussion is the situation of women in a post-apartheid society. For example, the National Executive Committee of the African National Congress (ANC) has stated that:

> "The African National Congress' commitment to eliminate racism, oppression and exploitation from our society cannot fail to address also the question of the emancipation of women.
>
> "The experience of other societies has shown that the emancipation of women is not a by-product of a struggle for democracy, national liberation or socialism. It has to be addressed in its own right within our organisation, the mass democratic movement and in the society as a whole."

The statement continues:

> "Among [the recommendations of an internal seminar] are amendments to the ANC Constitutional Guidelines, including the categorisation of South Africa as an independent, united, democratic, non-racial and non-sexist state. Laws, customs, traditions and practices which discriminate against women shall be held to be unconstitutional. Patriarchal rights, especially but not only with regard to family, land and the economy need serious re-examination so that they are not entrenched or reinforced.
>
> "In the new South Africa women will not immediately have the education, skills and resources to claim the rights provided in the constitution and laws. It shall therefore be the duty of the state to take appropriate measures to ensure the principle of gender-equality. Equally, our legal system must be easily accessible, with a judiciary which is familiar with the experience and has the confidence of the least privileged sections of our people. Women's right to democratic participation in all decision making must be there in principle and in practice ...." 2/

3. Within this context of change, the present report seeks to describe the situation of women at the present moment in the critical areas of legal rights, education and participation in economic activity. It is based largely on a study prepared by a consultant on the economic situation of women in South Africa, supplemented by information from bodies and specialized agencies of the United Nations system and non-governmental organizations dealing with the issues of apartheid. It also draws on materials received from the Lawyers for Human Rights International Conference: Putting Women on the Agenda, held

at Johannesburg from 23 to 25 November 1990. That Conference examined the present situation of women in both institutional and legislative terms.

4. The focus of the present report is on the situation of women in South Africa living under apartheid. It recognizes that all women are affected by apartheid, as was stated by one of the women leaders of ANC. All groups in South Africa are affected, but the experience of particular women differs, since the degree of disadvantage is mediated by race, class and culture. Within each racial and ethnic group, women have a lower status than men of the same group in both law and practice and, as with racism, the disadvantage ranges across the political, economic, social, domestic, cultural and civil spheres. 3/ The present report highlights the double discrimination faced by African women, as a function of discrimination on the basis of both race and gender.

I. LEGAL AND CULTURAL BASES FOR DISCRIMINATION

5. The inferior position of women in South Africa has to be seen in a number of interrelated levels deriving from the practice of apartheid.

6. The subordinate role of women in South Africa pre-dates independence. The Asian and European communities whose members came to South Africa, as well as the indigenous African societies, were male-dominated and patriarchal in structure, although the forms of this domination differed from society to society. As a consequence, women's subordinate position has been institutionalized in the laws, as well as in the customs and practices of all racial groups. During the process of transition to majority rule and the elimination of racial discrimination, special efforts will have to be made to ensure that elimination of discrimination based on sex is also dealt with.

7. South Africa operates a dual legal system consisting of customary law and received law (or Roman-Dutch common law influenced by English common law principles). Customary law is derived from indigenous customary norms and practices of the different ethnic groups found in South Africa and applies only to indigenous Africans, while Roman-Dutch law applies to all national groups in the country. A common feature of both systems is discrimination against women.

8. Roman-Dutch law is primarily based on the principles derived from Christian canons, especially in the area of family law. For example, under this law a married woman was in a position analogous to that of a minor, under the guardianship of her husband. She could not transact any business or appear in court without her husband's assistance; the property of both parties, regardless of their contributions, became one estate. The alternative was to have a prenuptial contract that would exclude the husband's marital authority. But even in that case the woman was often required to produce evidence before her independent authority was recognized.

9. Largely as a result of pressure from women lawyers and from groups such as the Women's Legal Status Committee, a new Matrimonial Property Act was passed in 1984 and the position of women married under Roman-Dutch law has improved. All marriages now exclude the marital authority provision. Husband and wife also enjoy equal powers to administer their joint estates. Under section 13 of the Act, however, the husband is still deemed to be the head of household, the wife is obliged to be domiciled with her husband and is deemed to be so even if they are separated.

10. Under customary law, women also remain perpetual minors under the guardianship of their father before marriage, their husband upon marriage, and a male patrilineal relative on the dissolution of the marriage or death of the husband. Africans are not compelled to marry according to customary law. The Marriage and Matrimonial Property Amendment Act, passed in 1988, forbids any man who already has a wife by a customary marriage from marrying another woman in a civil ceremony, and thus acquiring a second wife. This Act also removes the marital authority from the man in civil marriages and brings African civil marriages into line with those of other South Africans. These reforms have no effect, however, within the bantustans.

11. Gender relations have been intrinsic to many of the most characteristic features of State control over the African people in South Africa under the apartheid system. Influx control, the migrant labour system, concepts of customary law and the manipulation of tradition were, and are, based on the distinctions being made between men and women. In turn, these had direct repercussions on property relations and marriage law, and affected every aspect of personal and family life.

12. After the National Party came to power, African women were forced to carry passes for the first time and the influx control laws were rigorously applied in order to remove African women from the towns. In no other country has there been such an all-embracing ban on the movement of women. The creation of the bantustans has had particular meaning for women, as large numbers have been confined to deteriorating rural environments and are dependent on the commitment of absent men for small cash remittances. As sole care-takers for the elderly, the disabled and the children, who are the majority in the bantustans, they have carried a heavy responsibility for survival and generational reproduction. At the same time, legal authority has been vested in the absent "breadwinners", who are remote and thus removed from day-to-day decision-making.

13. Nor has influx control been the only area in which State policy controlled women's lives after 1948. Laws such as the Population Registration Act, the Immorality Act (now repealed) and the Group Areas Act had immediate, if differentiated, repercussions for women of all races. In its concern with maintaining racial and ethnic boundaries, apartheid came to be even more closely concerned with the control of the most intimate aspects of family life. 4/

14. The recognition of women solely in their reproductive capacity is hardly unique to South Africa. But within the ideology of apartheid, the South African State has refined stereotyped definitions of male and female roles, further differentiated them in racial and ethnic terms and made them central to the working of the apartheid State. Even women's fertility has been racially categorized and subjected to State priorities: white women have been exhorted to do their national duty and have "babies for the Republic"; black women have been warned that too many children mean poverty. 4/

II. POPULATION, MIGRATION AND FAMILY STRUCTURES

15. In 1913, South Africa was divided artificially under the policy of separate development into the "common" area, comprising 87 per cent of the land, and ten bantustans, together accounting for the remaining 13 per cent. Since 1976, four of the bantustan areas (Transkei, Bophuthatswana, Venda and

Ciskei) have accepted "independence", although their status as independent countries is not recognized by any countries other than themselves and South Africa. The United Nations regards the creation of "independent bantustans" as "null and void".

16. In 1988, the population of South Africa, including the four "independent" bantustans, has reached 36 million, of whom 75 per cent are classified as African, 14 per cent as white, 9 per cent as "Coloured" and 3 per cent as Indian. Because of higher birth rates in the black than in the white population, the proportion of whites today is even lower. 5/

17. Overall, each population group is more or less equally divided between men and women. Particularly among Africans, however, men and women are not equally present in different areas. In March 1990, men accounted for 51 per cent of the African population in the "common" areas; men outnumbered women by 1.3 to 1 in the cities and by 1.1 to 1 in the towns, while there were marginally more women than men in the rural areas. In the non-independent bantustans, accounting for nearly 30 per cent of the total African population, women outnumbered men by 1.2 to 1 in both towns and rural areas. 6/ In the "independent" bantustans, women outnumber men by 1.3 to 1, and again this is particularly marked in the rural areas. Transkei has the most skewed distribution - 1.4 women to each man. 7/

18. Because of the repeal of influx control in 1986, a larger number of African women than before are now legally permitted to live in the "common" areas. Women have begun to come to the towns to join their partners, to look for work and to take advantage of the other economic opportunities there. As the economic recession faced by the country becomes more severe, increasing numbers of women have left the impoverished rural areas to come to informal settlements or newly established townships in the "common" areas. 8/

19. Over the last few decades, there has been a relative depopulation of the white farming areas, as a result of both urbanization and forced removals. In general, the black men have moved to the towns and the black women have been moved to the destitute bantustan areas. 9/ Resettlement has focused on what the authorities perceive as the non-working, non-permanent, section of the black population. Men, however, may choose to seek more favourable working conditions elsewhere. In some cases, women from families where the man has left the farm are also forced to move when the farmer is unwilling to provide housing for a household where there is no male worker.

20. In 1990, there are still many people living in the bantustans and many urban people retain strong links with the areas. Reasons for this include the inadequate facilities, such as housing and schooling, in the "common" areas, since for years Africans were not supposed to be there except in the role of worker for the "white" economy.

21. Many women living within these skewed demographic patterns have assumed new and non-traditional roles and ways of living. In particular, many women have become heads of household. Government figures and university research conducted in 1980 suggest that the number of such households is increasing. 10/ In 1980, between 18 per cent and 30 per cent of the urban African households had women as heads. In the urban bantustan areas, the figure for households headed by females was between 36 per cent and 47 per cent. In rural bantustan areas, it was 59 per cent. Influx control was responsible for much of this. In 1980, 27 per cent of the husbands were living away from their wives and

17 per cent of the children under 17 years of age were living away from their mothers. These figures, however, are underestimates, as they are only for married couples.

22. Since at least the 1940s, South Africa has also had a very large proportion of single women, whether never married, separated or divorced, and, partly as a result of this, a very high illegitimacy rate. Illegitimacy stood at 43 per cent for Africans and 52 per cent for Coloureds* in 1980. Other studies report even higher rates in specific areas, for example 60 per cent in Soweto. 11/ In Cape Town, according to a report by the Medical Officer of Health, over half of all births are to single women.

23. Single women are in a vulnerable economic position. Separated and divorced women are unlikely to receive adequate maintenance grants for themselves or their children. First, the amounts, based on their previous partner's meagre wages, are very low. Secondly, the government department responsible for maintenance grants is said to have an informal policy not to grant maintenance to black women under 38 years of age who have fewer than two children. 12/

24. Before the change in the marriage laws towards the end of 1988, African women married by customary law were particularly vulnerable. A customary law marriage was void in terms of the law if the husband married another woman under civil law. Because many couples were separated by migrant labour and influx control laws, this was not uncommon. Under the new Act, a first marriage, whether customary or civil, takes precedence over any later attempts by the man to marry. But most women separated from their husbands still have financial difficulties. Even if they are able to extract maintenance from their former husbands, the amounts are very low because of the low wages earned by most African men.

25. Many women choose to be single. The decision is very often based on economic considerations. Women may observe that men do not give an adequate share of their wages to their wives and families, or that, in some cases, they live off the women's wages. Men are also, on the whole, more opposed than women to contraception. By remaining single, women can control the number of children they bear according to their wishes and their ability to support them financially.

III. EDUCATION

26. Education in South Africa, like most other social indicators, is biased along both race and gender lines.

A. Literacy

27. The only global literacy statistics for South Africa are based on the census, which provides a breakdown of literacy by gender and area. There are slightly more illiterate women than men, and the gap between men and women

---

*Probably an overestimate, as traditional marriages among Coloured people are not included.

seems to be increasing. The difference between the sexes is not nearly as great, however, as in many other developing countries, and in the urban areas (excluding the "independent" bantustans), slightly more African women than men are literate. But among all groups urban literacy levels appear to be increasing at a faster rate for men than for women.

28. An analysis of the census suggests that rural African men are more likely to spend some time in the urban areas and gain some literacy skills there, which would account for the differences between rural and urban areas. There is a difference of about 30 per cent between urban and rural dwellers, the difference between urban and rural women being greater than it is for men. Women in literacy classes report that when resources are scarce, most families consider it more important to send their male children to school than their female children.

B. Formal education

29. Formal education within South Africa has always been heavily skewed by race. Although the situation has improved to some extent, this is still the case. Compulsory education was introduced for Coloured and Indian children in the late 1970s and early 1980s. Education for African children is not yet compulsory. It was only at the commencement of the school year in 1991 that some state schools began to be racially integrated. The decision on integrating these schools would be taken on the basis of an "unequivocal majority vote" by the parents of the white children attending such schools.

30. There is little difference in school attendance by gender within each race group. The figures show slightly more African boys than girls at primary schools, but more girls in the secondary schools and slightly more girls overall - 2,642,055 compared with 2,580,002, excluding the "independent" bantustans, in 1989. In the latter areas, the predominance of girls is even more marked - 58 per cent of those in the matriculation classes in 1985 were girls.

31. Several factors help to explain the predominance of girls. In 1953, several years after the Nationalist Party came to power, the Government decided that employing women teachers would be one way to cut down on the costs of Bantu education. In pursuit of government policy, all male teachers at primary school level - the level of the overwhelming majority of all students - were dismissed or phased out and primary school teacher training facilities were closed to men. The few men who continued to teach were allowed to do so on condition that they accept the lower female rate of pay. 5/

32. Job opportunities for women in teaching and nursing are probably one of the reasons for the predominance of girls at the higher school levels. For those who complete school and want and are able to continue, further education is available at teacher training colleges, technikons and universities. It is at this level that, except in a few areas such as teaching, men of each race outnumber women. In 1985 1.3 per cent of all adult African women and 0.8 per cent of all adult African men had post-matriculation diplomas (primarily in teaching and nursing), but 0.21 per cent of African men and 0.08 per cent of African women had other post-matriculation qualifications.* At African

---

*Information provided by the University of Cape Town.

technikons outside the four bantustans, more than twice as many men as women received diplomas in 1989.

33. Access to university is determined by both race and gender. During the 1980s, the number of black students at previously white English-speaking universities increased. About 9 per cent of the new entrants at the University of Cape Town in 1990 were classified as African. But whereas the overall ratio of men to women in the first year was 1.2 to 1, for African students it was 2.8 to 1. The breakdown by area of study also shows race and gender differences. The male-to-female ratio for overall engineering was 9 to 1, for mathematics 2.8 to 1, for architecture 2.7 to 1 and for communication 2.5 to 1; thus, all were heavily male-dominated. Women predominated in nursing (with a male:female ratio of 0.03 to 1), librarianship (0.07 to 1), public administration (0.17 to 1), psychology (0.23 to 1) and the arts (0.50 to 1). Among African first-year students, however, men outnumbered women in all fields of study except nursing (no men), library sciences, psychology and public administration, with male:female ratios of 26.7 to 1 in engineering, 8.4 to 1 in mathematics, 5.2 to 1 in science, and 3.5 to 1 even in the arts. There were no new women students in communication and non-nursing medical subjects.

34. Figures for the four African universities - University of the North, Zululand, Medunsa and Vista - show the same patterns. Medunsa has the lowest proportion of women of all universities, both black and white, and the position has deteriorated, falling from a female intake of 45 per cent in 1985 to 30 per cent in 1987.

35. The most recent figures for South African universities as a whole (excluding the "independent" bantustans) are for 1987, when men made up 57 per cent of the total enrolment and 53 per cent of the newly registering undergraduates. The more equitable percentage for first-year students suggests that the position is improving slightly each year, but also that men tend to pursue their studies further than women and so are relatively more present in the later years of study.

C. Training

36. As will be noted below, women are much more likely than men to be employed in unskilled or semi-skilled jobs. One of the few opportunities open to black workers in the factories to improve their skills is artisanship. Workers attain artisan status by undergoing a period of apprenticeship. The National Union of Metalworkers of South Africa (NUMSA), however, found that in the motor industry only 10 women were employed as apprentices in the Transvaal province, as against 1,855 men. During the last few years NUMSA and the National Union of Mineworkers (NUM) have embarked on major initiatives around vocational training in the industries in which they are active, namely the mining, engineering, motor, automobile and tyre industries. The initiatives coincided with the passing of a new training act by the Government. In terms of the new act, industry training boards will be established to control training within each industry. One of the unions' complaints about the new act is that it does not establish affirmative action programmes for workers such as blacks or women, who have been discriminated against in the past. 13/

37. Throughout all industries only 30 companies employed women apprentices in 1988. It is only in the hairdressing trade, accounting for fewer than 5 per cent of all apprenticeships, 14/ that women apprentices outnumber men.

IV. WOMEN'S PARTICIPATION IN INDUSTRY, AGRICULTURE AND SERVICES

A. Employment structure

38. Between 1970 and 1985, total employment of men and women did not increase significantly, owing both to recession and to the fact that figures for the four "independent" bantustans were not included for the latter years. Women's proportional share of formal employment increased, however, from 33 per cent to 36.4 per cent.

39. Of employed women, 22.6 per cent were white, 14.6 per cent Coloured, 2.7 per cent Indian and 60.1 per cent African. These figures match very closely the percentages in the total female population outside the four bantustans. The percentage of men employed within the different race groups differs, and the gender breakdown of the work-force within each group also differs. Thus 36 per cent of all white people employed are women, compared with 41 per cent of Coloured people employed, 29 per cent of Indian people employed and 35 per cent of African people employed. The occupational distribution is shown in table 1.

1. Gender differences among the economically active

40. Only 36.6 per cent of those classified as "economically active" are women, compared with 63.6 per cent of the men. It would, however, be more proper to say that of the paid work-force in registered full-time employment, slightly more than a third are women.

41. The legacy of apartheid, in particular the Land Act and differential provision and development of the different areas defined by it, is that economic opportunities and economic activities differ according to area. In the "common" area, 84 per cent of the African men of working age and 52 per cent of the African women were economically active in 1980. In the bantustans as a whole, however, only 52 per cent of the men and 20 per cent of the women were economically active, in other words, the percentages for both men and women were lower and the discrepancy between the sexes was greater. The bantustan areas were themselves very different from each other. Almost without exception, the position of women in relation to men was worst in areas with the lowest overall employment levels. 15/

42. A study conducted in the mid-1980s among nearly 10,000 inhabitants of an area of the KwaZulu bantustan, near Durban, examined the effects of gender on the economic status of men and women aged 18 to 64 in this specific bantustan area. 16/ While the authors stressed that the results could not be extrapolated for the whole of South Africa, the pattern is indicative of other areas where a large proportion of the men work as migrants away from home and where subsistence farming, as here, can provide less than 8 per cent of the household income. Respondents in the study were classified according to where they lived, that is, in a Durban township, in another urban area, in informal settlements (for example squatter areas) or in rural areas. In each group, a higher percentage of men than women were employed, but the situation was worse for women the further they lived from metropolitan areas, whereas for men it remained virtually unchanged. The employment percentages in Durban townships were 67.3 per cent for men and 44.8 per cent for women. The percentages were 65.9 per cent for men and 26.3 per cent for women in the rural areas. Conversely, the percentage of those economically inactive was 53.4 per cent of

Table 1. Occupational categories by gender and classification of the work-force according to population group, 1985

Type of occupation	Percentage		Total		Percentage African		Percentage Coloured		Percentage Asian		Percentage White	
	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Professional, semi-professional and technical	46.7	53.3	333 132	380 704	36.4	18.7	11.0	6.6	3.2	5.2	49.4	69.1
Managerial, executive and administrative	17.4	82.6	44 644	211.311	4.0	4.3	5.4	3.0	2.9	5.3	87.7	87.5
Clerical and sales	56.6	43.4	662 622	507 205	19.1	38.0	11.9	11.3	4.6	12.9	64.4	37.9
Transport and communication	6.2	93.8	26 020	395 499	43.1	72.2	9.4	11.2	1.8	3.4	45.6	13.2
Service	66.2	33.8	966 238	493 951	82.1	65.0	13.7	9.2	0.4	2.5	3.8	23.3
Farmers, fishermen, hunters and farmworkers	27.0	73.0	326 142	880 023	84.9	75.8	14.1	15.6	0.1	0.4	1.0	8.1
Tradesmen and apprentices	5.8	94.2	22 306	365 309	25.1	15.9	18.4	16.9	3.9	5.1	52.6	62.0
Mining, quarrying (foremen, supervisors, operators), production and related trades	15.3	84.7	272 434	1 502 726	53.5	77.9	34.8	10.8	8.3	2.9	3.4	8.4
Unskilled work	13.4	86.6	60 183	389 862	64.8	78.4	31.1	19.1	3.2	1.4	0.9	1.2
Not classifiable	52.3	47.7	445 910	406 097	84.7	80.1	10.2	11.2	2.5	3.9	2.6	4.7
Total economically active	36.4	63.6	3 159 676	5 532 687	60.1	61.6	14.6	11.9	2.7	3.8	22.6	22.7
Not economically active	59.1	40.9	8 680 687	6 012 595	66.3	68.7	11.4	11.9	3.8	3.3	18.4	16.5
Population	50.6	49.4	11 840 363	11 545 282	64.6	65.0	12.3	11.9	3.5	3.5	19.6	19.5

Source: Agenda, Vol. 5, 1984.

Note: The exclusion of the four "independent" bantustans leads to a distortion in total population and particularly in the

women in rural areas and 23.9 per cent in the township areas, compared with 10.0 per cent of men in rural areas and 6.3 per cent in the townships. The study clearly shows the incentive for women to leave the rural areas and squat near urban areas in the hope of employment. The proportion of employed, work-seekers and the economically inactive are virtually identical for those in informal settlements and other urban areas, whereas in the rural areas the chances of finding a job are less. 17/

2. Gender differences by type of job and level of skills

43. Gender-biased and racially biased education and training are one explanation for the different job patterns for men and women. Differential access to skills especially affects black women. In 1987, 1.0 per cent of all African male workers were artisans, as opposed to only 0.2 per cent of African women; 51.2 per cent of African men were semi-skilled operatives, compared with 33.2 per cent of women and 42.3 per cent of the men were unskilled, compared with 28.3 per cent of the women. Only 5.4 per cent of the men were doing menial work, compared with 38.3 per cent of the women. African women have largely entered the labour force at the lowest rank while men have tended to advance. Between 1965 and 1987, the proportion for semi-skilled men increased by about 2 per cent, while for women it decreased by the same percentage. Conversely, the percentage of unskilled and menial workers combined decreased for African men by over 6 per cent while for women it increased by 3 per cent. The increase in the proportion of women menial workers, namely cleaners, nursemaids, and others not involved directly in production, was particularly marked, from 22 per cent in 1965 to 54 per cent in 1985.

3. Gender differences by type of occupation

44. The distribution of women within the paid work-force differs from that of men. In only two categories are there more women than men: service, and clerical and sales, as can be seen in table 1. Women are employed within a narrow range of occupations and over 72 per cent are employed in only four occupational categories: services, clerical and sales, agriculture and professional. If those "not classifiable" are included, 86.5 per cent of the women workers are employed in only five of the ten categories in the census, with 13.4 per cent in the remaining five categories. In contrast, 52 per cent of the male work-force is to be found in these five categories.

45. Though they constitute only one third of the paid labour force, women account for two thirds of the service workers (over half of those in clerical and sales) and nearly a half of the professionals. The professional category includes nursing and teaching, hence the large number of women. In the managerial and executive category, women account for only 17 per cent of the work-force. Even within these categories, some jobs are highly feminized: 96.4 per cent of those doing typing and related work are women; 95.2 per cent of the registered nurses are women; in domestic work between 94 and 96 per cent are women. Less obviously, 83 per cent of the archivists are women, as are 75 per cent of the operator/productive workers in the clothing industry and nearly 75 per cent of the bookkeepers. 18/

46. Women's presence in different sectors varies also by racial group. Coloured women account for over half the women employed in agriculture and related activities and for large proportions of women workers in manufacturing.

Indian women are proportionately most evident in manufacturing. White women account for half of all the women workers in all of the nine officially defined sectors except agriculture, mining, manufacturing, and community and personal services. In finance and electricity, where women are chiefly employed in white collar and better-paid jobs, they constitute over three quarters of all women workers. African women predominate in mining and are also present in proportionately large numbers in manufacturing and community and personal services. African women predominate in the lower-paid and white women in the higher-paid jobs.

47. There are many differences within sectors and industries. The actual jobs done by women of the different racial groups within each sector and industry differ widely. White women account for half the women engaged in professional and trade-related jobs, 67 per cent of the clerical and 87.7 per cent of the managerial jobs. Coloured women account for 34.8 per cent of the women in production and 31.1 per cent of the unskilled workers. Indian women account for 8.3 per cent of those engaged in production and African women account for 82.1 per cent of those in service and 84.9 per cent of those in farming. Within the service sector, 23 per cent of the white women employed are classified as supervisory housekeepers and another 24 per cent as beauticians; 49 per cent of the Indian women in the service sector, 83 per cent of the Coloured women and 88 per cent of the African women are classified as domestic workers, cleaners or charwomen. 19/ Of all black women employed in domestic services 97 per cent have identified their employer as a private household. Thus, white women predominate in the more skilled, more pleasant and better-paid jobs, Coloured and Indian women in the semi-skilled and African women in the unskilled jobs, particularly domestic service and on the farms.

4. Wages and conditions of work

48. Not only are different jobs assigned to men than women, but different values as well. A lower value is attributed to work done by women, even when they are engaged in "productive" work. Before workers organized and bargained for wages, employers set wages and rationalized the low level of wages for women on the basis that the family was being provided for by a man. So the type of jobs done by women became the less well paid, lower-status jobs in society. They were not valued in terms of skill and responsibility. It is important to note that it is not that the women are necessarily paid less then men doing the same job. It is the job that acquires a low status and low income because it is seen as "women's work" and men try to avoid such jobs.

49. Comparing wages in South Africa in the sectors of industry where employment of women is high with those in which the men dominate, it is found that average wages are significantly lower in the former. Table 2 shows that the wage differentials between blacks and whites are also greater in the industrial sectors where women predominate.

50. Wages and conditions of work in South African industry can be determined by law, by some sort of collective bargaining, or by a mixture of the two. The two laws providing for the establishment of minimum wages and conditions of work are the Labour Relations Amendment Act and the Wage Act. Industrial councils are joint bodies of employers and workers within a particular industry

and are established and registered under the Labour Relations Amendment Act. These councils together cover approximately 1 million workers. The Wage Board, a government body established in terms of the Wage Act, covers 950,000 workers, of whom 63 per cent are African.

Table 2. Comparison of average monthly wage rates for African workers

Sector	1977		1984	
	Wage in rands	Percentage of average wage for whites	Wage in rands	Percentage of average wage for whites
Sectors where ratio of women to men is 60:40				
Clothing	81	14.3	205	13.8
Food	119	21.6	337	22.3
Textiles	107	17.4	331	20.4
Sectors where ratio of women to men is 10:90				
Chemicals	176	26.4	561	30.9
Furniture	130	23.6	353	24.5
Plastics	162	25.0	442	24.4
Paper	185	27.7	502	30.0

Source: South African Institute of Race Relations, Survey of Race Relations in South Africa, 1978-1985 (Johannesburg, 1985) and "Effects of apartheid on the status of women in South Africa and Namibia" (A/CONF.94/7/Rev.1), paper submitted to the World Conference of the United Nations Decade for Women: Equality, Development and Peace, held at Copenhagen from 14 to 30 July 1980.

51. Until 1981, many industrial council agreements and wage determinations specified different wages for men and women doing the same job. In general, the minimum wage for women was about 80 per cent of the equivalent male wage rate. As black men joined unions and won higher wages, employers started to employ greater numbers of women. The extent of discrimination in wages also increased. Of the 65 industrial council agreements specifying separate categories for men and women in 1973, 23 laid down equal wages. By 1980, the number with equal wages had fallen to five. 20/.

52. In 1981, the Government passed amendments to both Acts, which prohibited separate wages for men and women in any future measures. In 1988, the definition of an unfair labour practice in the Labour Relations Amendment Act was amended to include "unfair discrimination on the grounds of ... sex".

53. Legislation, however, does not remove discrimination. First, these Acts established minimum wages and conditions. In many cases, workers, especially men, may enjoy conditions above the minima. Secondly, men and women are often

not employed in the same jobs, or they may perform identical tasks but be differently classified.

54. For both blue-collar and white-collar workers with slightly more skills the patterns were sometimes unexpected. The average wage of Coloured B-graded women was slightly higher than that of their male colleagues. That of African B-graded women was again slightly higher than that of Coloured B-graded women. 21/ A woman employed as a general clerk or bookkeeper/accounts clerk earned on average 10 per cent more than her male counterpart. It has been shown that the same pattern exists in some Cape Town financial institutions. The factory jobs are at a level where employment in general is expanding rapidly and perhaps the patterns are not as set. The clerical jobs are jobs traditionally regarded as the preserve of women, and where black women have replaced white women. While the wage for black workers is not as high as it was for their predecessors, they do benefit to some extent from the historical race premium. Conversely, in unskilled jobs, women are replacing men of the same colour as themselves.

55. The effect of racial discrimination is again seen in teaching and nursing, which offer comparatively well-paid jobs for blacks, particularly black women, but which are among the lower-paid jobs for whites. This is reflected in the male-to-female enrolment ratio at teacher training colleges of 0.38 to 1 for whites and 0.60 to 1 for Africans.* Since the mid-1980s, teachers' and nurses' pay has been based on qualifications and not on race. But because black teachers and nurses tend to be less qualified than white (in 1990 30 per cent of all black teachers were still underqualified or unqualified) there is still a disparity in earnings. 22/ Male and female teachers with equivalent qualifications also still earn different salaries, although the Government announced in October 1990 that it planned to phase out these differences over the next two years.

56. Bias in the evaluation of different jobs also affects basic pay. Much of South African management uses some form of job evaluation to determine wages. The most popular of these is the Patterson system, originally designed for the South African mines. The grading of jobs under this system is based solely on the level and extent of decision-making that the job entails. Women are usually employed in subordinate positions, reflecting their subordinate position in society as a whole. As a result, the rating of their jobs and the resultant wage tend to be low. The demand for equal pay for equal work is of little use where men and women, as is often the case, are doing different jobs. The demand for equal pay for work of equal value does not improve matters substantially if the basis of apportioning value is itself biased.

57. In many instances, women are paid less because their jobs fall outside the official grading system. Exclusion from the grading system usually also means that workers do not get benefits such as pensions, long-service bonuses, medical benefits and so on to which other workers are entitled. In the metal industry, tea-making, cooking and cleaning, all usually performed by women, fall outside the grading system. For these workers there is not even a fixed

---

*The figure for Africans refers to first year only and the figure for whites to total enrolment, but this should not affect the proportions.

minimum wage. Women classified as doing menial work in the official government statistics may well be in the same position.

58. Discrimination does not only occur in relation to the basic wage. Over the last decade, unions have begun to focus on non-wage benefits as well as on wages. Most negotiations now include demands for various types of leave; provident, pension and medical funds; and payments for unpleasant types of work. Benefits such as leave and social security funds, which are awarded on the basis of length of service, discriminate against women, because many women take off time to bear and raise their children and are therefore less likely to have unbroken service. Last-in first-out provisions in retrenchment agreements also discriminate in this way unless unions specifically demand clauses that state otherwise. Allowances and bonuses that concern the type of work done more usually reward the types of job reserved for men rather than the unpleasant aspects of typical women's work. For example, it is common to have an allowance for "heavy work".

59. Pensions are a particularly serious problem for women. Women live longer than men on average, but are less likely to have adequate pensions. State pensions are notoriously inadequate, especially for black people. Women are more likely than men to be employed as part-time or casual workers. Very few part-time or casual jobs include pension benefits. Women who are entitled to occupational pensions are also less likely than men to receive adequate amounts of money. Many women are employed in their 20s and 30s, while they are strong, but management replaces them by younger women when they reach their 40s or 50s. 23/ They then face many years without an income. Many women lose benefits because of breaks in employment due to child-bearing and child-rearing, as workers who withdraw from pension schemes can usually only claim a refund of their own contributions plus interest at a low rate. The employer's contributions on behalf of the worker remain in the fund and benefit the remaining members. Finally, the level of the pension is related to the wage, which for women tends to be low.

60. Clauses prohibiting the employment of women on night shifts or in certain other situations in the Basic Conditions of Employment Act (formerly the Factories Act) were designed to protect women, but they also made the hiring of women workers less attractive to employers. The removal of these clauses now leaves both men and women unprotected, rather than extending the protection to men. And women almost certainly encounter greater difficulties and dangers in situations such as night work, both because of family commitments and because of the physical danger involved in travel to and from work at times when there are fewer people around and public transport is less regular. This is particularly so in the South Africa, where workers have usually been forced to live far from their places of employment and thus spend long hours of each day travelling.

61. Towards the end of 1990, the Government published a bill that will allow women for the first time to be employed underground in the mines in South Africa. Women had been prohibited from working underground in order to protect them from the unhealthy and dangerous conditions prevailing below the surface. The new bill, like the change in the Basic Conditions of Employment Act, removes discrimination on the basis of sex but does nothing to protect either women or men against conditions that remain appalling. 24/.

5. Domestic and agricultural labour

62. The figures for domestic and agricultural labour, and particularly work, are almost certainly underestimates. First, government statistics emanating from information from employers do not include private domestic work. Secondly, in the period for which most statistics are available many domestic workers were in the towns illegally and their employers did not register their employment. And in the current recession, while most women would prefer not to do domestic work, many are forced to do so because of a shortage of factory jobs.

63. Statistics and generalized statements for agricultural employment are also difficult to pin down. Patterns within agriculture differ, in particular according to the type of farming, whether arable or pastoral, to the type of produce, and to the proximity of bantustan areas. Rural women in different areas are thus also affected differently according to where they live and work.

64. In general, women are less favourably placed than men in relation to land and social resources. It is not known how many white women are land-holders or commercial agricultural producers. From the very limited evidence available on organized commercial agriculture, they have no visible presence other than as farmers' wives.

65. Black women are also at a disadvantage within their class and strata. Although the majority of farm workers are women, few are employed full time. When they are, as in the Western Cape, their terms and conditions of employment are worse than those of their male counterparts. Most women who work on the farms, however, are employed as casual and seasonal workers, competing with children, lacking any rights and with absolutely the worst terms of employment. When their presence is tolerated on white-owned farm land it is only as dependants of male full-time workers, forming an easily accessible pool of labour. The majority are forced to spend their lives going backwards and forwards between the reserves and rural towns and farms. Black women are the mainstay of peasant life and simple commodity production on the land. Yet their link to the land is inextricably dependent on men, whose access to the land is rooted both in white and indigenous law. 25/

66. Farm wages are extremely low, even lower than the wages earned by black workers in industry. One farmer admitted that there would need to be two wage-earners in each household for them to be able to afford a "decent" living level on his farm. 26/ Farm wages are also affected by the worker's race. The gap between average farm wages in the Western Cape and those in the rest of the country decreased in the 21 years from 1955 to 1976 as the proportion of African to Coloured workers increased. 27/ In cases where migrant workers were employed, the amount of payment in kind fell in relation to the cash payment, presumably as the farmers no longer had to provide for the families of the workers. 28/ Conversely, both in the mines and on the farms, the families of migrant workers often do not receive the same share of the worker's wage that they would were they living with him.

67. Both farm and domestic workers work under additional disadvantages in relation to workers employed in industry and commerce. There are virtually no laws governing conditions of work, as the Basic Conditions of Employment, Machinery and Occupational Safety, the Wage, Labour Relations, Unemployment Insurance and Workmen's Compensation Acts all exclude domestic workers. The Machinery and Occupational Safety and Workmen's Compensation Acts are

applicable to farm workers only in minor respects, where the workers are dealing with machinery. As a result, farm and domestic workers are not entitled to annual leave, sick leave, maximum hours of work, overtime or any of the other minimum conditions that apply to factory and office workers.

68. The inclusion of farm (agricultural) and domestic workers under industrial legislation has been the subject of ongoing campaigns for over a decade. The most hopeful campaign to date is that waged jointly by the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU) over the last few years. In the latest agreement, signed on 20 September 1990, the Government undertook to look once again at the position of these workers "as a matter of urgency". 29/ No definite undertakings have been given, however. According to COSATU, South Africa's labour laws still fall short of international standards and rapid steps need to be taken to ensure that all workers have full rights to collective bargaining and to strike. So far, Transkei is the only area to have extended labour legislation to cover farm and domestic workers.

69. Farm and domestic workers are also notoriously difficult areas in terms of unionization. COSATU has one affiliate, the South African Domestic Workers Union, which covers domestic workers and a farm-worker project falling under the Food and Allied Workers Union. The National Union of Farmworkers is a NACTU affiliate organizing on the farms. None of these unions has been able to organize more than a small percentage of its dispersed potential membership.

6. Formal employment in the bantustans

70. Employment conditions in the bantustans, where most of the workers are African, are, on the whole, much worse than they are for workers doing equivalent jobs in the "common" areas. Because the bantustans supposedly govern themselves, the labour legislation of the central State is not automatically applicable to either the "independent" or non-independent bantustans. In order to attract business to basically unfavourable areas with poor infrastructures, the areas tend to be even more restrictive in regard to labour matters than the central State. They are exempt from most labour legislation and do not allow unions. There are no minimum wages and no other benefits for workers except, in some cases, free provision of birth-control devices (Depovera and condoms) with the intent of keeping the mainly female work-force on the job. Wages are in some cases less than a tenth of those being earned by organized workers within the "common" areas. 30/

71. Companies investing in the area are labour-intensive, attracted by the presence of large numbers of captive unemployed and impoverished potential workers, by a non-unionized work-force and by State incentives such as subsidies for wages, training, rentals, electricity, housing, technology imports, relocation and taxes. Employers are also clear about the advantages of employing women. "The company can pay women lower wages than men, so the company is saving. And women are more reliable than men ... women, even if they have to do shift work, they are always back. They feel they have to work for their children. They have responsibilities". 31/

72. Since the recent changes in leadership in the bantustans, there have been a few hesitant improvements. In particular Transkei, where there was a change of government in late 1988, and Ciskei, which underwent a military takeover in 1990, have recognized unions. All the other areas still refuse to recognize unions operating in the "common" areas. All bantustan areas are refusing to

consider extending unionization rights and other laws to civil servants and teachers, the latter again affecting many women workers. 32/

7. Unemployment among women

73. Women are disproportionately affected by unemployment, one of South Africa's greatest problems at present. First, until the mid-1980s many of the women were illegal residents in the towns, where most of the job opportunities were. They therefore had greater difficulty in obtaining jobs and so had less chance of acquiring a good working history. Secondly, women's employment is often interrupted for varying periods by pregnancy and childbearing. Thirdly, women are less likely than men to receive training and acquire marketable skills. This combination of factors means that when the number of people looking for work far exceeds the number of job opportunities, employers are more likely to turn to other workers who have more experience and skill to offer.

74. Many women who are unable to find decent jobs in industry or commerce do domestic work instead. Many others are unable to find even this employment. Recent surveys in urban African townships suggest that, while around 30 per cent of the women within the relevant age groupings are employed in the formal sector, the overwhelming majority of those not so employed would like to be employed but are unable to find jobs. Very few are able to afford to be "homemakers", the chosen alternative for many of the white women who are not working.

8. Self-employment and the informal sector

75. Statistics on the informal sector are very scarce. By definition, the informal sector comprises unrecorded activity. Many of those involved will purposely avoid enumeration, especially where they fear that either their presence or the activity is in some way illegal. Nevertheless many people are involved, and the majority of them are probably women.

76. The first comprehensive government survey of the informal sector in African areas (excluding the "independent" bantustans), estimated it at 8 per cent of the gross domestic product (GDP), or R 16 billion, in 1989, 33/ while a market research survey conducted in the main metropolitan areas towards the end of 1989 found that township residents spent about 8 per cent of their household expenditure in spazas ("hidden" shops). 34/ The survey estimated that there was one spaza for every 409 households in African metropolitan areas, 1 shebeen (illegal bar) for every 22 households and 1 taxi driver for every 50 households.

77. The growth of the informal sector is linked to the rise in unemployment and also to new opportunities resulting from the increase in the number of people living in informal settlements where there are no other outlets. The new opportunities have led some economists to propose the informal sector as a way of solving the enormous problem of unemployment. Most of those working in the sector choose it, however, because of the lack of other alternatives, namely, because of the absolute lack of jobs or because the jobs available are so poorly paid that they do not provide enough to live on. Many women engaged in a formal job, particularly single parents, are forced into the informal sector because of lack of day-care facilities. Still others use informal sector activities to supplement the inadequate income they receive from formal jobs, such as domestic work.

78. A study in Soweto around 1980 found that the majority of small shebeen operators were single women who had been unable to find formal jobs. Moves at that time to legalize shebeens were a great threat to most of these women, as even those able to afford the R 600 registration fee and the alterations needed to allow the shebeens to qualify as "business premises" were not legally able to do so because they were illegal urban residents. Since the beginning of January 1989, the legal situation has eased. Traders are still required to register but the authorities cannot refuse to give a licence. No sales tax need be paid if the turnover is under R 50,000 per annum, and no personal tax need be paid by those earning under R 40,000 per annum. Local authorities can, however, make additional regulations as to where hawkers and others may operate, as well as prosecute for offences such as "causing an obstruction". All traders are required to register and pay levies (although very few probably do). And there can be additional costs - for example in the Khayelitsha township, near Cape Town, traders are required to pay a R 25 site fee for erecting a shop. A large proportion of informal operators are harassed by the authorities at some stage in their activities under various regulations and laws.

79. Shebeen operations fall under the Liquor Act, which still involves a full registration and licensing procedure. Dealing in marijuana and harder drugs is completely illegal, although many supposed shebeen operators are also dealing in drugs. 35/ A survey conducted among the men and women living in Lwandle hostel, Strand, in 1988 found that the selling of liquor without a licence was mentioned more often than any other "crime" as being a cause of arrest, and was mentioned by over half of those answering the question, while a third mentioned the selling of marijuana. About 57 per cent of those mentioning the selling of liquor and a third of those mentioning marijuana went on to say that they felt that this was not a crime. The main reason given was that the activities were the source of income for the sellers. 36/

80. The informal sector ranges from activities that are far more lucrative than most other activities open to blacks, to those below the subsistence level. Men predominate in the more lucrative sectors, such as taxi-driving. They also own most of the larger informal businesses, although women family members are employed in them (often without pay) and run them. Within sectors there are also wide discrepancies, with a few individuals at the higher end and most clustered at the lower end. A few businesses are large and prosperous, but most are very small. As usual women are found at the low end, often in one-person operations. Thus, a 1987 microstudy in informal settlement areas around Durban found a "marked sexual division of labour", with women engaging in the selling of clothes and food, in addition to child-minding and midwifery, while men, for example, were mechanics, construction workers, dealt in livestock and produced or sold traditional beer. The income of women was also considerably lower. 37/ In an earlier 1980 study in the Kwandebele bantustan, 30 women were found to be involved in manufacturing (chiefly of traditional articles) and 6 in trading, while only 3 men were involved in manufacture, 25 in trading, 11 in transport, 3 in construction and 2 in other services. Sectors dominated by men had higher weekly incomes - averages were R 32.71 for trade, R 19.05 for transport and R 13.45 for manufacturing. Some women are able to earn higher than average incomes by running shebeens, trading in drugs and prostitution. But even in these areas, most women would not be earning good money. Most women will earn much less in the informal sector than they would as the least skilled worker in industry. 38/

B. Maternity and childhood protection

81. Ideally, men and women should take equal responsibility for the care of their children and families. In practice, it is women who bear the main burden of these responsibilities. In South Africa, women also receive little of the assistance that women in other countries receive from the State or their employers.

82. A basic maternity benefit is provided for workers in shops and offices by the Unemployment Insurance Act, from a fund to which all employers and workers contribute each month. At present the Unemployment Insurance Fund (UIF) provides for a maximum payment of 45 per cent of the woman's wage for a period of up to six months. The amount of money is very small, in that it is usually based on an already low wage. To obtain the full benefit, the woman must have been contributing to UIF for at least three years. The Act does not cover unemployed women, domestic and farm workers or unregistered workers.

83. In many cases organized workers have negotiated additional benefits with their employers. These agreements provide for the employers' supplementing the UIF payment as well as other benefits. The Commercial, Catering and Allied Workers Union (SACCAWU) and its predecessors have been in the forefront of the battle for parental rights. This is particularly interesting in that it occurs in an industry where there are many women and where concessions are therefore not cheap for management. They won their first agreement with a major employer in 1983. The agreement provided for a year's unpaid maternity leave with guaranteed re-employment. In 1985, SACCAWU signed an agreement with another company, which provided for seven months' paid leave on one third wages for women and three days' paid leave for fathers. In 1988, after extensive research into workers' needs, the union negotiated an agreement with a third company which even more clearly recognized the parental rights and duties of both men and women. Workers at the latter company now receive 75 per cent of their normal wage for a period of nine months.

84. The Metal and Allied Workers Union, now part of NUMSA, negotiated the first national maternity agreement in 1986, winning six months' paid maternity leave. In another women-dominated industry, the National Union of Textile Workers (now South African Clothing and Textile Workers Union (SACTWU)) negotiated a maternity agreement through the industrial council in 1987 that covered all women textile workers in South Africa. The following year the Union negotiated the first agreement in the garment sector. In 1990, the SACTWU agreement for the clothing and knitting industry of the Western Cape, covering 56,000 mainly female workers, provided for effective payment of 70 per cent of the wage for the first three months and 45 per cent for a further three months of maternity leave. 39/

85. Many of the unions have also negotiated paternity leave - an assertion of the need for men to play their role in child-rearing. By the end of 1989, the Chemical Workers Industrial Union had negotiated between one and four days of paternity leave at over 60 factories. 40/

86. The serious shortage of provision for pre-school children in South Africa severely affects the ability of women with children to take up full-time employment. According to the 1985 census, 33 per cent of white children between the ages of three and five attend registered pre-schools, as against only 2 per cent of all black children in the same age group. Conversely, a 1983 study found that 7 per cent of the children were staying at home

alone.* 41/, 42/ Many more are catered for by informal networks or by their slightly older siblings.

87. The inadequate provision of service is not surprising. South Africa has no form of social security in the area of child care. Parents have to pay for all the above services and relatively few black workers would be able to afford them.

88. The above figures exclude all bantustans. There the situation is probably worse, in that a far larger proportion of the population in rural areas (22 per cent as opposed to 14 per cent) is in the 0-5-year age group than is the case in urban areas. Because many men of rural origin work in the urban areas, women in bantustan areas are also more likely to be without partners to assist with child care. Yet because of poor provision for children in the "common" areas and the slightly better chance of support from the extended family in rural areas, many women living in urban areas choose to send their children to the bantustans.

C. Union participation and activities

89. In many countries, women are regarded as poor union members. Because of the demands of their "second job" in the home, they are less able to attend out-of-hours meetings or to devote the same time as their male colleagues to other union business. In South Africa, too, women are not present in the proportions they represent at leadership levels of either the work-force or membership. Although there are no definite statistics, it appears that black women are at least as quick as their male colleagues to join the unions as ordinary members. It is also noteworthy that the only union in the South African Congress of Trade Unions (SACTU) to survive through the 1960s, years of great repression for organizations, was the Food and Canning Workers Union, with its centre in the women-dominated fruit and vegetable canning industry of the rural Western Cape province.

90. The contribution of women is often not acknowledged. And sexism is said to exist in the union movement as elsewhere. At the 1989 COSATU congress, male members claimed that women's participation in unions was minimal and unreliable. But previously, COSATU, the largest union federation, had established a special committee to take up the demands of women workers. Many of the unions affiliated to COSATU have, in turn, set up their own committees for women members. The federation has taken up issues affecting women and included specific demands in negotiations with employers. The results have been uneven but the situation is certainly different from that of a few years ago.**

---

*Figures compiled by Owen van den Berg, Central Statistical Services, "Educational statistics, 1984 and 1985", in Summary Statistical News Release (Pretoria, 4 June 1985).

**For more details and an assessment, see Barbara Klugman, "Women, apartheid and option for a post-apartheid society: giving women the green light", South African Labour Bulletin, vol. 14, No.4 (October 1989).

91. Much of the activity has centred on the parental rights campaigns discussed above. But unions have also taken up other demands, and started taking them up even before the special women's committees were established. For example, the National Automobile and Allied Workers Union, a union that is now part of NUMSA, negotiated with BMW car manufacturers at Pretoria to provide a crèche for their children between the ages of two and six years. BMW paid for the building and running of the crèche, which is run by a joint committee representing parents, management and the Union. NUMSA is now proposing a national demand of 20 days' leave for child care. 43/ Unions have also tackled equal pay for work of equal value, job opportunities, health and safety, child care and sexual harassment. 44/, 45/

92. The above are not the only examples of union organization around what are perceived as women's issues. But sexism and discrimination are still rampant in the unions, the workplace and society as a whole. 46/ Union leadership is not unaware of the practical obstacles in the way of equality. Thus NUM, representing mainly men workers, is in favour of a national minimum wage applicable to all industries, whereas representatives of the women-dominated SACTWU and South African Domestic Workers Union argue in favour of different minima for different industries.* These representatives are not in favour of sexual discrimination; their views rather reflect a sober appraisal of women's chances of getting a decent wage in the current situation.

D. Housing

93. Housing, or the lack of it, has been the focus of many struggles over the last few decades. Women have often been in the forefront of these struggles. Access to housing is central to any individual's economic status. The burden of inadequate housing usually falls primarily on the woman, who is expected to provide shelter for herself and her family. It is also the woman who suffers most from lack of adequate electricity, household appliances and other services, as she is usually the one who does the housework.

94. Until a few years ago, black women were virtually unable to obtain State housing, whether rented or purchased, in their own right, as marital authority was vested in the husband. The situation has now changed; a woman who can prove she is the sole breadwinner and has dependants will now be considered on the same basis as a man.

95. The majority of married black women, however, are married under customary law or marriage law providing for community property. These women will have major problems in buying houses in their own name. Marriage laws changed in 1984 for white, Coloured and Indian women and in 1988 for African women, so as to give women equal economic rights in the marriage relationship, but the changes were not retroactive and as a result all women married before these dates are still subject to their husbands' marital authority.

96. Another problem is that there is usually no housing available. South Africa has a housing shortfall estimated at 1 million units for Africans, 100,000 for Coloureds and 48,000 for Indians. Another problem is that the option of purchase is also only available to those who have the necessary

---

*See, for example, South, 27 September-3 October 1990, p. 27.

income. Women, with lower average incomes, are unlikely to have the necessary means.

97. Women also face problems in terms of rented accommodation. Nowadays, most leases for rented accommodation are still signed by the husband and the rent receipts are issued in his name. If the couple separate, the authorities are more likely to allow the man to keep the accommodation.

98. In the white farming areas, most housing is tied to jobs, in particular permanent jobs. Most permanent farm workers are men, while women are employed seasonally, and as casual and domestic workers. Women are thus often dependent on their relationship to a man for housing.

Notes

1/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

2/ Statement of the National Executive Committee of the African National Congress on the emancipation of women in South Africa (2 May 1990).

3/ Frene Ginwala, "Women in South Africa today", paper presented to the ANC In-House Seminar on Women, Children and the Family in a Future Constitutional Order, held at Lusaka from 8 to 12 December 1989.

4/ Ruth Mongati, "Putting women on the agenda", paper prepared for the international conference Lawyers for Human Rights: Putting Women on the Agenda, held at Johannesburg from 23 to 25 November 1990.

5/ Debbie Budlender, "Women and the economy", paper prepared for the United Nations Secretariat, 1990.

6/ Republic of South Africa, Central Statistical Services, "Current population survey, blacks", March 1990.

7/ Development Bank of Southern Africa, Statistical Abstracts, 1987 (Sandton, 1987).

8/ A. H. Lategan, Opening the Doors of Learning to All Young Children, part I, Potential Demand (Johannesburg, Urban Foundation, 1990), p. 4.

9/ Debbie Budlender, "Mechanisation and labour of white farms: a statistical analysis", University of Cape Town, Carnegie Conference Paper No. 26, 1984, p. 15.

10/ Charles Simkins, "Household composition and structures in South Africa", in Sandra Burman and Pamela Reynolds, Growing up in a Divided Society (Johannesburg, Ravan, 1986), pp. 16-41.

11/ Virginia van der Vliet, "Staying single: A strategy against poverty?", University of Cape Town, Carnegie Conference Paper No. 116, 1984, p. 11.

12/ Ibid., p. 2.

13/ South Africa Labour Bulletin, vol. 15, No. 1 (June 1990), p. 13.

14/ Republic of South Africa, Department of Manpower, Annual Report 1989, p. 160.

15/ Pillay and Pundy, "Women in employment: some important trends and issues", Social Dynamics, vol. 11, No. 2 (December 1985) pp. 21-37.

16/ Julian May and Sheldon Rankin, "The spatial and gender differentiation of Kwazulu's black labour force", Agenda, No. 6, 1990.

17/ Owen Crankshaw and Doug Hindson, "Class differentiation under apartheid", unpublished draft, 1990.

18/ F. Ginwala and M. Mackintosh, "Gender and economic policy in a democratic South Africa", extracts from discussions in a workshop on women and the law.

19/ Pillay and Pundy, loc. cit., pp. 21-37.

20/ Debbie Budlender and others, "Industrial Council wage rates and poverty", University of Cape Town, Carnegie Conference Paper No 107, 1984, pp. 12-14.

21/ P-E Remuneration Service, South African salary survey, April 1990, pp. 12-13.

22/ "Progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa; report of the Secretary General" (A/44/960), annex I, para. 220.

23/ Joanne Yawitch, "Tightening the noose: African women and influx control in South Africa, 1950-1980", University of Cape Town, Carnegie Conference Paper No. 82, 1984, p. 22.

24/ Cape Times, 1 November 1990.

25/ Tessa Marcus, "Land reform - considering national, class and gender issues".

26/ Debbie Budlender, "Agriculture and technology: four case studies", Carnegie Conference Paper No. 23, 1984, p. 7.

27/ Budlender, "Mechanisation and labour ...", p. 21.

28/ Ibid., p. 22.

29/ Work in Progress, No. 69, September 1990, p. 39.

30/ See William Cobbett and Brian Nakei, "Behind the 'curtain' at Botshabelo: redefining the urban labour market in South Africa", in Review of African Political Economy, No. 40, December 1987, pp. 32-46.

31/ Personnel assistant, quoted by Anne Mager, in "Moving the fence: gender in the Ciskei and border textile industry, 1945-1986", Social Dynamics, vol. 15, No. 2 (1989).

32/ The Weekly Mail, 12-18 October 1990, p. 6.

33/ Trudi Hartzenburg and Anthony Leiman, "Sizing up the informal sector", Indicator SA, vol. 7, No. 2 (Autumn 1990).

34/ Black Enterprise, May 1990.

35/ B. Ngcokotho, MA thesis, Leeds University, to be published shortly.

36/ Forthcoming publication by the Institute of Criminology, University of Cape Town.

37/ P. Bendheim, "A study of some aspects of the informal sector in informal housing areas", Durban Occasional Paper No. 8 (Durban, Inkatha Institute, 1987).

38/ Yawitch, op. cit., p. 26.

39/ Cape Times, 12 October 1990.

40/ Barbara Klugman, "Workers are people, too", South African Labour Bulletin, vol. 14, No. 4 (October 1989).

41/ A. H. Lategan, op. cit.

42/ Jacklyn Cock, Erica Emdon and Barbara Klugman, "Childcare and the working mother", Carnegie Conference Paper, University of Cape Town, 1983.

43/ Tammy Shefer, "Childcare; new union demands", South African Labour Bulletin, August 1990, p. 69.

44/ Barbara Klugman, "Women apartheid and option for a post apartheid society: giving women the green light", South African Labour Bulletin, vol. 14, No. 4.

45/ COSATU, "Women and the living wage campaign", p. 22.

46/ See Tammy Shefer, "Women workers organise: lastest developments", South African Labour Bulletin, vol. 15, No. 2 (August 1990), pp. 65-73.